

From: Kiani, Tal
To: Microsoft ATR
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Subject: Microsoft Settlement

No to the proposed settlement! The public will not be served if one company is allowed to have total control over our information infrastructure.

The current proposal for the Microsoft settlement will not prevent Microsoft from staying a monopoly in the computer industry and from continuing to abuse and extend this monopoly. Quite simply, the punishment is not economically severe enough for it to affect Microsoft's behavior.

There is no incentive for them to change the behaviors that led to the court's conclusion in the Findings of Fact that they have abused their monopoly powers and have ignored the previous remedies from the earlier Consent Decree. They will most likely ignore or circumvent the presently proposed settlement because it will be cheaper for them in the long run to litigate for years and then settle with the government once their competitors have been unfairly driven out of business and they have expanded their monopoly into new areas. Please note that this is not conjecture-this is exactly what they did after the last Consent Decree!

Frankly, its hard to blame Microsoft for choosing this route because it makes the most economic sense - it is up to the government to fashion a remedy that addresses past harm and penalizes Microsoft severely enough for past wrongs so that it will make economic sense for Microsoft to behave properly in the future - the threat of severe punishment will outweigh the potential gain from abusing their monopoly powers.

A proper remedy should force Microsoft to release their file formats for Office and Internet Explorer because these are now industry standards, as well as

require them to releases source code and protocols that will allow other companies to compete with them. Additionally there must be substantial

financial penalties imposed (think 10's of Billions of dollars) in order to redress past financial harm they have caused to many companies in the

industry. Anything less is an effect slap on the wrist, because of the 100s of billions of dollars of ill-gotten rewards they have enjoyed. If you only fine

them 1 billion, they will continue with their monopolistic ways that let them make 10-100 times that- why shouldn't they? We need penalties that make a difference to Microsoft management.

The remedy will not be a simple proposition, but that should not be expected in a case of this magnitude, and of this much importance. We are all

counting on you to do the right thing for the good of our society.

Thanks in advance!

Tal Kiani
DRS Sensor Systems, Inc.
3500 Torrance Blvd., Torrance, CA 90503
Phone (310) 750-3257 Fax (310) 750-3203
t_kiani@drs-sensor.com